

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: C.R. BARD, INC.  
PELVIC REPAIR SYSTEM  
PRODUCTS LIABILITY LITIGATION

MDL No. 2187

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THIS DOCUMENT RELATES TO

*Jo Ann Richard, et al. v. C.R. Bard, Inc., et al.*

2:15-cv-06159

**MEMORANDUM OPINION AND ORDER**

On July 10, 2019, I granted a motion to show cause filed by Tissue Science Laboratories Limited (“TSL”). [ECF No. 23]. Defendant C. R. Bard, Inc. (“Bard”) later joined in the motion to show cause. [ECF No. 24]. TSL, joined by Bard, asserts that plaintiffs’ case should be dismissed with prejudice for failure to comply with court orders, including the failure to timely provide the defendants with required pretrial discovery in violation of Pretrial Order Numbers 275 and 283.

The court entered the Show Cause Order on July 10, 2019, directing plaintiffs to show cause on or before July 24, 2019, why TSL should not be dismissed. [ECF No. 23]. Plaintiffs, who are *pro se*, responded to the show cause order on July 22, 2019 [ECF No. 25], and Bard and TSL replied on July 25, 2019 [ECF No. 26].

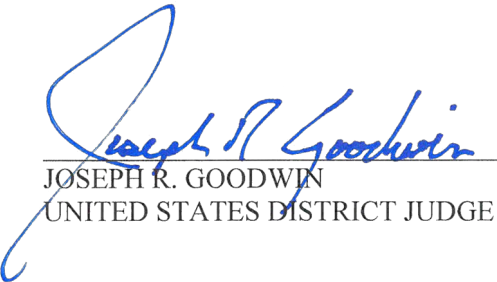
Upon consideration of the response and reply to the show cause order and given the circumstances in this case, the court finds, pursuant to Rules 16 and 37 of the Federal Rules of Civil Procedure and after weighing the factors identified in *Wilson v. Volkswagen of Am., Inc.*, 561 F.2d 494, 503-06 (4th Cir. 1977), that this case should

be dismissed without prejudice for plaintiffs' failure to comply with discovery deadlines in compliance with the court's previous pretrial orders.

Therefore, the court **ORDERS** that TSL and Bard are dismissed without prejudice. No other defendants remain, and this case is stricken from the docket and closed.

The court **DIRECTS** the Clerk to send a copy of this order to counsel of record and plaintiffs at their last known address.

ENTER: August 15, 2019



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE